

COMMITTEE ON COUNCIL

NOVEMBER 1, 2010

NO QUORUM

Due to the lack of a quorum, the Committee on Council did not meet at its' regularly scheduled time on Monday, November 1, 2010, but rather, the Council entered into the Committee of the Whole at the Full Council Meeting held on that date.

Accordingly, the Minutes of the Committee of the Whole are incorporated into the Atlanta City Council Minutes for November 1, 2010.

DISCUSSION ITEM

**Proposed Ethics Board Advisory Opinion on Councilmembers Conflicts of Interests
Ginny Looney, Ethics Officer**

This item will be discussed at the November 15, 2010 Committee on Council meeting.

NOTES:

The following pages, 2-8, were taken from the November 1, 2010 Atlanta City Council Action/Minutes. This information will serve as the Minutes for the November 1, 2010 Committee on Council Meeting. Pages 9 and 10 were copied from the Papers Held in Committee Section of the November 1, 2010 Committee on Council Agenda.

COMMITTEE REPORTS (CONT'D)

**COMMITTEE ON COUNCIL (1)
FELICIA A. MOORE, CHAIR**

Attendance at the November 01, 2010 meeting of the Committee on Council was as follows:

Present: Councilmembers Moore (Chair), Sheperd and Winslow

Absent: Councilmembers Wan, Bond and Hall

Due to the lack of a Quorum, the Committee on Council held their meeting during the Full Council Meeting by entering the Committee of the Whole. Chairperson Moore made the Motion to enter Committee of the Whole. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 1 nay. Council entered Committee of the Whole. After Committee on Council completed their agenda, Chairperson Moore made a Motion to re-enter Regular Session. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. Council then re-entered Regular Session.

COMMUNICATIONS

10-C-1818 (1) A Communication by **Council President Ceasar C. Mitchell, to Municipal Clerk Rhonda Dauphin Johnson**, appointing Mr. Eugene J. Duffy to serve as a member of the Mr. John Portman and Mr. Herman Russell Commission.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to communications 10-C-1818 and 10-C-1885. Ms. Moore then made a Motion to Hold. Without Objection, the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

10-C-1819 (2) A Communication from **C. D. Moody, Atlanta Business League Chairman, to Municipal Clerk Rhonda Dauphin Johnson**, submitting himself as an appointee to serve as a member of the Mr. John Portman and Mr. Herman Russell Commission.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to communication 10-C-1819 and made a Motion to Approve. Without Objection, the Motion CARRIED by Voice Vote.

REGULAR SESSION

During Regular Session, the Motion to Confirm CARRIED by a roll call vote of 12 yeas; 0 nays.

CONFIRMED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

COMMITTEE REPORTS (CONT'D)

**COMMITTEE ON COUNCIL (2)
FELICIA A. MOORE, CHAIR**

COMMUNICATIONS (CONT'D)

10-C-1885 (3) A Communication from **W. Forrest Coley, Jr., Chair, NPU-M, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their nomination of Lydia M. Meredith to serve as a member of the Xernona Clayton Commission in the NPU-M category, scheduled to begin on the date of Council confirmation.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to communications 10-C-1818 and 10-C-1885. Ms. Moore then made a Motion to Hold. Without Objection, the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

10-C-1255 (4) A Communication by **Councilmembers Felicia A. Moore, District 9; C. T. Martin, District 10; Keisha Lance Bottoms, District 11; Joyce M. Sheperd, District 12 and H. Lamar Willis, Post 3 At-Large** appointing Mr. Jason Allen Mayberry to serve as a member of the Human Relations Commission in the Class C category. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation. **(Held 7/19/10 by the Committee to allow the appointee an opportunity to appear before the Committee.)**

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to communication 10-C-1255 and made a Motion to Approve. Without Objection, the Motion CARRIED by Voice Vote.

REGULAR SESSION

During Regular Session, the Motion to Confirm communication 10-C-1255 CARRIED by a roll call vote of 12 yeas; 0 nays.

CONFIRMED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

COMMITTEE REPORTS (CONT'D)

**COMMITTEE ON COUNCIL (3)
FELICIA A. MOORE, CHAIR**

ORDINANCE FOR SECOND READING

10-O-1348 (1) A **Substitute #3** Ordinance by **Committee on Council** to amend the 2001 City of Atlanta Precincts and Polling Places in Precincts 02A, 02C, 03H, 05B, 06A, 07A, 07N, 08C, 08H, 08J, 09A, 10P, and 11J to make temporary or permanent relocations as a result of scheduled and/or completed renovations or conflicting scheduled events at the voting facility, existing facility no longer available and bank foreclosure of a voting facility; and for other purposes. **(Held 8/16/10 at the request of the Municipal Clerk) (Substituted and held 9/7/10; Substituted and held 10/4/10; Substituted and held 10/18/10.)**

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to ordinance 10-O-1348 and made a Motion to Approve on Substitute. It was properly Seconded and the Motion CARRIED by Voice Vote.

REGULAR SESSION

During Regular Session, the Motion to Adopt on Substitute CARRIED by a roll call vote of 12 yeas; 0 nays.

Later during the meeting, Councilmember Bond made a Motion to send ordinance 10-O-1348 to the Mayor's Office immediately. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. Therefore, the legislation was sent to the Mayor's Office.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

COMMITTEE REPORTS (CONT'D)

**COMMITTEE ON COUNCIL (4)
FELICIA A. MOORE, CHAIR**

RESOLUTION

10-R-1883 (1) A Resolution by **Councilmember Michael Julian Bond** to amend Resolution 10-R-0926 authorizing the creation of a Commission to determine an appropriate honor for the Committee for the Appeal for Human Rights and the Atlanta Student Movement so as to authorize the Commission to appoint associate members of the Commission representing entities and organizations which can either benefit from or contribute to the mission, goals and works of the Commission; and for other purposes.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to resolution 10-R-1883 and made a Motion to Approve. It was properly Seconded and CARRIED by Voice Vote.

REGULAR SESSION

During Regular Session, the Motion to Adopt CARRIED by a roll call vote of 12 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

COMMITTEE REPORTS (CONT'D)

**COMMITTEE ON COUNCIL (5)
FELICIA A. MOORE, CHAIR**

ORDINANCES FOR FIRST READING

10-O-1909 (1) An Ordinance by **Committee on Council** to activate Section 2-49 (currently designated as “reserved”) of the Code of Ordinances of the City of Atlanta, Georgia so as to codify Rule IV of the Rules for the Conduct of Business of the Atlanta City Council which pertains to the assignment of Council Member Offices; to waive conflicting ordinances; and for other purposes.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to ordinances (10-O-1909, 10-O-1910, 10-O-1911 and 09-O-1912). Ms. Moore made a Motion for all four (4) ordinances to be Referred to the Committee on Council. Without Objection, the Motion CARRIED by Voice Vote.

REGULAR SESSION

During Regular Session, the Motion to Refer ordinances (10-O-1909, 10-O-1910, 10-O-1911 and 09-O-1912) to Committee on Council CARRIED by a roll call vote of 12 yeas; 0 nays.

**REFERRED TO COMMITTEE ON COUNCIL BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

COMMITTEE REPORTS (CONT'D)

**COMMITTEE ON COUNCIL (6)
FELICIA A. MOORE, CHAIR**

ORDINANCES FOR FIRST READING (CONT'D)

10-O-1910 (2) An Ordinance by **Committee on Council** to activate Section 2-48 (currently designated as “reserved”) of the Code of Ordinances of the City of Atlanta, Georgia so as to codify Rule XIV of the Rules for the Conduct of Business of the Atlanta City Council which pertains to the use and assignment of the City Council Chamber and the Council Committee Rooms; to waive conflicting ordinances; and for other purposes.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to ordinances (10-O-1909, 10-O-1910, 10-O-1911 and 09-O-1912). Ms. Moore made a Motion for all four (4) ordinances to be Referred to the Committee on Council. Without Objection, the Motion CARRIED by Voice Vote.

REGULAR SESSION

During Regular Session, the Motion to Refer ordinances (10-O-1909, 10-O-1910, 10-O-1911 and 09-O-1912) to Committee on Council CARRIED by a roll call vote of 12 yeas; 0 nays.

**REFERRED TO COMMITTEE ON COUNCIL BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

COMMITTEE REPORTS (CONT'D)

**COMMITTEE ON COUNCIL (7)
FELICIA A. MOORE, CHAIR**

ORDINANCES FOR FIRST READING (CONT'D)

10-O-1911 (3) An Ordinance by **Committee on Council** to activate Section 2-70 (currently designated as “reserved”) of the Code of Ordinances of the City of Atlanta, Georgia so as to codify Rule XVII of the Rules for the Conduct of Business of the Atlanta City Council which pertains to the use of Cell Phones or Other Electronic Communication Devices at meetings; to waive conflicting ordinances; and for other purposes.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to ordinances (10-O-1909, 10-O-1910, 10-O-1911 and 09-O-1912). Ms. Moore made a Motion for all four (4) ordinances to be Referred to the Committee on Council. Without Objection, the Motion CARRIED by Voice Vote.

REGULAR SESSION

During Regular Session, the Motion to Refer ordinances (10-O-1909, 10-O-1910, 10-O-1911 and 09-O-1912) to Committee on Council CARRIED by a roll call vote of 12 yeas; 0 nays.

**REFERRED TO COMMITTEE ON COUNCIL BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

COMMITTEE REPORTS (CONT'D)

**COMMITTEE ON COUNCIL (8)
FELICIA A. MOORE, CHAIR**

ORDINANCES FOR FIRST READING (CONT'D)

10-O-1912 (4) An Ordinance by **Committee on Council** to amend Section 2-1855 of the Code of Ordinances of the City of Atlanta, Georgia by adding a Subsection (c) so as to codify Rule XIX of the Rules for the Conduct of Business of the Atlanta City Council which pertains to additional procedures governing the process by which Department and Agency Heads are to be confirmed by the City Council; to waive conflicting ordinances; and for other purposes.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to ordinances (10-O-1909, 10-O-1910, 10-O-1911 and 09-O-1912). Ms. Moore made a Motion for all four (4) ordinances to be Referred to the Committee on Council. Without Objection, the Motion CARRIED by Voice Vote.

REGULAR SESSION

During Regular Session, the Motion to Refer ordinances (10-O-1909, 10-O-1910, 10-O-1911 and 09-O-1912) to Committee on Council CARRIED by a roll call vote of 12 yeas; 0 nays.

**REFERRED TO COMMITTEE ON COUNCIL BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

H. PAPERS HELD IN COMMITTEE

- 10-O-0133 (1) An Ordinance by Councilmember Felicia A. Moore as **Substituted by Committee on Council** to amend Section 2-41 of the Code of Ordinances of the City of Atlanta, Georgia which is currently entitled "Proclamations and Citations" by creating a new Section 2-41 and changing the catchline to "Legislation and Other Items for Consideration by Council" which code section shall set forth the process by which legislation and other items for consideration by the Council shall be presented to the Council; to re-designate Code Section 2-41 as Code Section 2-41.1; to waive conflicting ordinances and code sections; and for other purposes. **(Substituted and held 1/19/10 by the Committee for further discussion and review.)**
- 10-C-0611 (2) A Communication from Mr. Michael B. Wright, Sr., Executive Director, Concerned Black Clergy of Metropolitan Atlanta, Inc. to Municipal Clerk Rhonda Dauphin Johnson, submitting their nomination of **Reverend Richard H. Cobble** to serve as a member of the Reverend James Orange Commission, scheduled to begin on the date of Council confirmation. **(Held 5/3/10 by the Committee to allow the appointee an opportunity to appear before the Committee.)**
- 10-O-0785 (3) An Ordinance by Councilmember Ivory Lee Young, Jr., authorizing the reimbursement of Parking Expenses incurred by members of Boards and Commissions of the City of Atlanta in connection with attending official meetings of such Boards and Commissions; and for other purposes. **(Held 5/3/10 by the Committee for further review.)**
- 10-C-1255 (4) A Communication by Councilmembers Felicia A. Moore, District 9; C. T. Martin, District 10; Keisha Lance Bottoms, District 11; Joyce M. Sheperd, District 12 and H. Lamar Willis, Post 3 At-Large appointing **Mr. Jason Allen Mayberry** to serve as a member of the Human Relations Commission in the Class C category. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation. **(Held 7/19/10 by the Committee to allow the appointee an opportunity to appear before the Committee.)**
- 10-O-1348 (5) A **Substitute #3** Ordinance by Committee on Council to amend the 2001 City of Atlanta Precincts and Polling Places in Precincts 02A, 02C, 03H, 05B, 06A, 07A, 07N, 08C, 08H, 08J, 09A, 10P, and 11J to make temporary or permanent relocations as a result of scheduled and/or completed renovations or conflicting scheduled events at the voting facility, existing facility no longer available and bank foreclosure of a voting facility; and for other purposes. **(Held 8/16/10 at the request of the Municipal Clerk) (Substituted and held 9/7/10; Substituted and held 10/4/10; Substituted and held 10/18/10.)**

H. PAPERS HELD IN COMMITTEE (CONT'D)

- 10-C-1430 (6) A Communication from Thomas W. Cole, Jr., Interim President, Interdenominational Theological Center, to Municipal Clerk Rhonda Dauphin Johnson: submitting their appointment of **Dr. Riggins Earl, Jr.** to serve as a member of the Appeal for Human Rights and the Atlanta Student Movement. **(Held 9/7/10 to give appointee the opportunity to come before the Committee)**
- 10-C-1748 (7) A Communication From Sam A. Williams, President, Metro Atlanta Chamber, to Municipal Clerk Rhonda Dauphin Johnson, submitting the appointment of **Mr. Bill Clement** to serve as a member of the John Portman and Herman Russell Commission. **(Held 10/4/10 by the Committee to allow the appointee an opportunity to appear before the Committee.)**
- 10-C-1807 (8) A Communication by Councilmembers Carla Smith, District 1; Kwanza Hall, District 2; Ivory Lee Young, Jr., District 3; Cleta Winslow, District 4 and Michael Julian Bond, Post 1 At-large; appointing **Rev. Bernice King** to serve as a member of the Xernona Clayton Commission, scheduled to begin on the date of Council confirmation. **(Held 10/18/10 by the Committee to allow the appointee an opportunity to appear before the Committee.)**